

# EXHIBIT 1

## Ben Hulse

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**From:** Deborah E. Lewis  
**Sent:** Monday, January 23, 2017 2:15 PM  
**To:** Jan M. Conlin  
**Cc:** Genevieve Zimmerman; Gabriel Assaad; bgordon@levinlaw.com; Michael A. Sacchet  
**Subject:** RE: VitaHEAT subpoena - follow up to meet and confer letter

- 1) Issues we discussed that are not included in your letter
- 2) Issues/objections you did not want to discuss during the meet and confer
- 3) Implication Magistrate Noel's Order is the sole basis for relevancy objections
- 4) Not sure what "your position" means and includes
- 5) Issues I did not dispute

Talk to you soon.  
Deborah

### Deborah Lewis

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**From:** Jan M. Conlin [<mailto:JMC@ciresiconlin.com>]  
**Sent:** Monday, January 23, 2017 11:40 AM  
**To:** Deborah E. Lewis <[dlewis@blackwellburke.com](mailto:dlewis@blackwellburke.com)>  
**Cc:** Genevieve Zimmerman <[gzimmerman@meshbeshher.com](mailto:gzimmerman@meshbeshher.com)>; Gabriel Assaad <[gassaad@kennedyhodes.com](mailto:gassaad@kennedyhodes.com)>; [bgordon@levinlaw.com](mailto:bgordon@levinlaw.com); Michael A. Sacchet <[MAS@ciresiconlin.com](mailto:MAS@ciresiconlin.com)>  
**Subject:** RE: VitaHEAT subpoena - follow up to meet and confer letter

I am available at 2:30 PM today. Please call my office. The letter does accurately set forth our discussion; please state in writing what you think is in error. It will facilitate our continued discussion this afternoon.

With kind regards,

### Jan M. Conlin

*Founding Partner*

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**From:** Deborah E. Lewis [<mailto:dlewis@blackwellburke.com>]

**Sent:** Monday, January 23, 2017 11:32 AM

**To:** Jan M. Conlin <[JMC@ciresiconlin.com](mailto:JMC@ciresiconlin.com)>

**Cc:** Genevieve Zimmerman <[gzimmerman@meshbesh.com](mailto:gzimmerman@meshbesh.com)>; Gabriel Assaad <[gassaad@kennedyhodes.com](mailto:gassaad@kennedyhodes.com)>; [bgordon@levinlaw.com](mailto:bgordon@levinlaw.com)

**Subject:** VitaHEAT subpoena - follow up to meet and confer letter

Jan,

I received your January 20, 2017 letter concerning our meet and confer on January 19<sup>th</sup>. However, because your letter does not accurately reflect our discussion, I suggest we have a follow up meet and confer to make sure we agree with the sum and substance of our discussion. I am available today from 2 p.m. to 5 p.m. or tomorrow (Tuesday) at 7:30 a.m. or 6:30 p.m. I have three depositions tomorrow so my time on Tuesday is fairly limited.

Thanks

Deborah



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**Deborah Lewis**  
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